

From: [McKenna, Jim](#)
To: [Eric Blischke/R10/USEPA/US@EPA](#)
Cc: [Chip Humphrey/R10/USEPA/US@EPA](#)
Subject: RE: Dredging at Port of Portland's Marine Terminal 2
Date: 08/01/2008 10:12 AM

Eric:

Thank you for forwarding the pertinent section of the Statement of Work to the Settlement and Administrative Order on Consent requiring LWG members to notify the Agency of dredging projects at the Site during implementation of the RI/FS, and to update such notification annually or as necessary to account for dredging activity. As you know, the Port has to do significant maintenance dredging associated with its marine terminals in the Harbor and I commit that we will provide such notification to you and Chip for all future Port dredging projects within the boundaries of the Site during the RI/FS. In terms of the recent T2 work, I discussed the specifics with Port staff and am providing the following in order to put the level of agency coordination in context (we believe the Port's Marine Environmental staff followed all the required permitting protocols; however, we do recognize the need to improve coordination for future dredging projects with EPA in terms of the required notifications under the LWG AOC, which is my responsibility).

The current dredging project was conducted under a multi-year permit that was issued by the Corps on June 23, 2008 (#2007204) and re-issued by the Department of State Lands on July 17, 2008 (#38245-RP). Our understanding is that the permit application underwent the same review and coordination process as the predecessor five-year dredging permit it replaces. That is, under the March 2002 Letter Agreement between EPA R10, ODEQ and USACE. The USACE coordinates with EPA to assure the permitted activities are consistent with CERCLA and the National Contingency Plan.

The work at T2 was coordinated with and reviewed by the multi-agency Project Review Group (PRG, which includes EPA and DEQ reps), that was set-up by ACOE to implement the Interim Final Sediment Evaluation Framework (2006). In addition, a few months ago the Port hosted EPA staff (Jonathan Freedman and Jesse Winkler, EPA reps for the PRG) at our facilities to learn more about upcoming Port dredging projects (including the T2 maintenance dredging). We also coordinated with DEQ regarding a potential 401 Water Quality Certification, submitting all permit application documentation for development of a 401 Certification. Ultimately, it was determined by the Corps that a 401 Certification was not needed.

Obviously, it was not the Port's intent to proceed with this maintenance dredging project without notification to EPA and other pertinent State and Federal agencies. To our knowledge, the project did undergo the standard agency coordination and review processes described above. Although the Port was in communication with specific EPA and DEQ staff throughout the permitting and planning stages of the T2 dredging project, we will comply with the RI/FS Statement of Work requirement for future maintenance dredging projects by sending formal notification to you and Chip. Having said that, however, we are assuming you need no further notice or coordination on the interim dredging action that will take place beginning in August within the Terminal 4 Removal Action Area.

If you have any questions regarding this or any other Port project please feel free to call me at (503) 944-7325.

Thanks, Jim.

-----Original Message-----

From: Blischke.Eric@epamail.epa.gov
[mailto:Blischke.Eric@epamail.epa.gov]
Sent: Thursday, July 24, 2008 12:12 PM
To: McKenna, Jim
Cc: Humphrey.Chip@epamail.epa.gov
Subject: Fw: Dredging at Port of Portland's Marine Terminal 2

Jim, the AOC requires LWG members to notify EPA dredging activities - see Section 6, Task 4 from the SOW below.

Section 6 Task 4 - Dredging Coordination

Respondents will notify and consult with EPA prior to Respondents undertaking any dredging activities at the Site during implementation of the AOC. (See Subtask 2a, 5.) The notification shall include information regarding the nature and scope of the dredging activity, proposed schedule, potential environmental impacts, and coordination with the RI/FS. The notifications in this paragraph shall be updated annually or as necessary to account for Respondents new dredging activity.

We understand that the dredging activities described below are being undertaken through a multi-year permit issued in 2001.

As you are aware, dredging coordination has been an ongoing issue for the project. We expect LWG members to set the standard on this. It is unclear why we were not notified.

Eric
----- Forwarded by Eric Blischke/R10/USEPA/US on 07/24/2008 12:03 PM

"ANDERSON Jim M"
<ANDERSON.Jim@de
g.state.or.us>
07/24/2008 11:22 AM
Chip Humphrey/R10/USEPA/US@EPA,
Eric Blischke/R10/USEPA/US@EPA
cc
Subject
FW: Dredging at Port of
Portland's Marine Terminal 2

FYI
-----Original Message-----
From: JOHNSON Keith [mailto:Keith.Johnson@state.or.us]
Sent: Tuesday, July 22, 2008 8:36 AM
To: GAINER Tom; MCCLINCY Matt; ANDERSON Jim M
Subject: FW: Dredging at Port of Portland's Marine Terminal 2

FYI
-----Original Message-----
From: Harrison, Marla [mailto:Marla.Harrison@portofportland.com]
Sent: Monday, July 21, 2008 5:34 PM
To: marci.e.cook@usace.army.mil; Taylor, Thomas J NWP; CYRIL Alex;
JOHNSON Keith; nancy.munn@noaa.gov; ben.meyer@noaa.gov;
Robert.E.Rose@usace.army.mil; Mike.McCabe@dsl.state.or.us; BELETE
Etsegenet; Dan.Gambetta@noaa.gov; greg_m_smith@fws.gov; McMillan, James
M NWP; Jeremy_Buck@fws.gov; Hill.Burney@epamail.epa.gov;
Timothy.J.Sherman@usace.army.mil; Lino461@ECY.WA.GOV;
freedman.jonathan@epa.gov
Cc: Krug, Jeff; Degens, Sebastian; Dittmer, Dave; Hollis, Michelle;
Ruda, Sam; Pippenger, Dan
Subject: Dredging at Port of Portland's Marine Terminal 2

All,

We are starting to dredging at Terminal 2 today and would like to invite you to visit the site during dredging operations. Terminal 2 is located close to downtown Portland and offers a unique opportunity to see clamshell dredging at a marine terminal first-hand.

Please let me or Michelle (503-240-2032) know if you would like to visit and we would be happy to make arrangements. Please let me know as soon as possible if you would like to see dredging operations at Terminal 2.

Thank you.

Marla

Marla Harrison

Environmental Manager

Marine and Industrial Development

Port of Portland

Work: (503) 240-2033

Cell: (971) 409-9759